

BEFORE THE TENNESSEE BOARD OF NURSING

IN THE MATTER OF:

BILLY J. GAMES, R.N.

RESPONDENT

TENNESSEE LICENSE NO. 83620

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Docket No: 201001400

ORDER OF SUMMARY SUSPENSION

WHEREAS, on September 2, 2010, The Tennessee Board of Nursing was presented with evidence that:

1. Respondent was licensed on August 30, 1990. He has maintained his license by fraud, failing to disclose his conviction of a crime. It was recently brought to the State's attention, through the investigation of this matter, that in or around December 2002, Respondent was arrested in Sequatchie County for driving under the influence. Respondent eventually plead guilty to an amended charge of driving while impaired in June 2003 and paid the assessed costs
2. Respondent became employed as a registered nurse at Kindred on or about January 19, 2010.
3. Respondent was later terminated from his employment at Kindred on or about June 25, 2010 for workplace misconduct based upon the following:
 - Falsification of Patient Records: "Patient (dx 00115698) was noted to have four JP drains, all which were numbered and the location of the drains with each number. On 6/11/10 the drain #3 fell out and was reported to physician. On 6/13/10 at 5:52am, Billy charted on the #3 drain and charted that there were 10 ml of output. On 6/14/10 at 04:25am, Billy Games, RN charted on the #3 drain and charted that there was 20 ml of output. On 6/15/10 at 4:49am, Billy Games, RN charted on the #3 drain and charted that there was 10 ml of output. All of the above notations were inaccurate

due to the #3 drain had been out of patient since 6/11/10. Thus indicating that the patient was not assessed and the output that was documented was fabricated.”

- Patient Care Concerns: “On June 23, 2010, at approximately 9am, Nurse manager was requested to go look at three different patients that Billy Games, RN had cared for the previous shift. In room 232, there was a used needle in the medication cabinet instead of being disposed of in the sharps container. Also in this room it was noted that the patient’s antibiotic-Zyvox-had been hung and spiked, yet not set to run, thus the patient did not get the dose when it was ordered. In room 235, noted used needle on the patient’s bedside table, and the medication cabinet was left open and not securely locked. In room 228, noted tube feeding liquid all over the floor, the edges were dry and middle of puddle was wet. The patient had Dobhoff tube in nose and it was connected to a half empty bottle of tube feeding liquid, and the bottle was below patient’s level and sitting over on the bedside table, thus the patient had not been receiving any nutrition for an unknown period and the dobhoff was clogged. There was a new bottle of tube feeding hanging on pole, tube ran through the feeding pump and the pump was running and was just dripping onto the floor.”
- “On June 22, 2010, it was reported to nurse manager that the previous shift, Billy Games, RN had signed out on the CSAR sheet Percocet two hours after the patient’s last dose was given. The PRN order is for every three hours. The dose that was signed out was not charted in the patient’s MAR. Also, this shift he was noted to have medicated other patients that were not assigned to him, one was Dilaudid at 01:03 and the other was Morphine at 01:09.”
- “Detailed investigation of patients’ medical records and CSAR’s provided by pharmacy, reveals that Billy Games, RN administers controlled substances to patients that are not assigned to him. Trend is noted that when a nurse takes their lunch break, Billy Games, RN observes their patients are in pain and medicates them. The trend with this is also noted to be medicating patients with Dilaudid and Morphine orders only. This is a patient safety issue, due to there is no report given to Billy Games, RN by the nurse going to lunch break, thus the potential for overmedicating or medicating without report of the patients status.”

(See “Performance Improvement Form,” dated June 25, 2010).

4. Respondent's performance-based termination apparently led to threatening behavior.
5. On or about August 15, 2010, at least one (1) Kindred employee observed Respondent near the front entrance of Kindred around the time of a shift change. Respondent was observed wearing a bandana and had a pair of binoculars. An employee of Kindred later called Respondent to ask why he had been standing outside of the hospital. She reported Respondent replied that he was there to "bounty hunt." (See "Affidavit of Traci Nelson in Support of Verified Petition for Temporary Restraining Order and Injunctive Relief Pursuant to Tenn. Code Ann. § 20-14-101").
6. On or about August 17, 2010, Respondent was observed at Kindred again around 6:30 p.m. Respondent was observed at that time driving around the parking lot, slowing down at times, as if he were either looking for someone or looking for a place to park. A security guard working at Kindred reported that he approached Respondent's vehicle at that time, and Respondent quickly fled. According to the security guard, he attempted to pursue Respondent, but Respondent fled so quickly that the security guard was not able to follow him. (See "Affidavit of Traci Nelson in Support of Verified Petition for Temporary Restraining Order and Injunctive Relief Pursuant to Tenn. Code Ann. § 20-14-101").
7. On or about August 19, 2010, a Kindred employee, after hearing that Respondent had been recently seen on the Kindred premises, reported that he had encountered Respondent at a Wal-Mart store in Kimball, Tennessee on or

about August 13, 2010. The Kindred employee reported that Respondent asked the employee, “[A]re you still working at that sh*t hole?” Respondent then stated, “You go tell them sorry a** m***** f***** that I am coming and when I get through there won’t be any of the m***** f***** left standing.” (See “Affidavit of Traci Nelson in Support of Verified Petition for Temporary Restraining Order and Injunctive Relief Pursuant to Tenn. Code Ann. § 20-14-101”).

8. Another Kindred employee reported that during the week of August 9 – 16, 2010, Respondent sent her a text message in which he stated his intent to “hurt” Misty Taylor, Matthew Turney, and Jamey McCurdy, all of whom are R.N.’s at Kindred. (See “Affidavit of Traci Nelson in Support of Verified Petition for Temporary Restraining Order and Injunctive Relief Pursuant to Tenn. Code Ann. § 20-14-101”).

The Respondent’s conduct is so severe that it poses a threat to the health and welfare of the public; therefore the mere filing of formal disciplinary charges will not deter the Respondent’s conduct, warranting the summary suspension.

WHEREFORE, in consideration of the foregoing and pursuant to the authority granted under Tenn. Code Ann. §§4-5-320(c) and 63-7-115, the Board of Nursing hereby finds that the aforesaid conduct and activity of Billy J. Games, R.N. requires imperative action in order to protect the public health, safety and welfare by summarily suspending the Respondent’s license to engage in the practice of nursing (License Number: 83620).

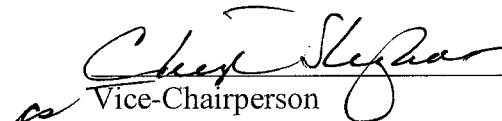
The Board of Nursing hereby **ORDERS** the **SUMMARY SUSPENSION** of the Respondent’s license to engage in the practice of nursing (License Number: 83620). ***Upon***

receipt of this Order, the Respondent shall not engage in the practice of nursing in Tennessee and will surrender his Tennessee nursing license card during the entirety of his suspension.

Pursuant to Tenn. Code Ann. §4-5-320(d), the Respondent, Billy J. Games, R.N., may attend an informal conference scheduled for 2:00 hrs, September 7th, 2010 at 2:00 pm P.m. (Central Time) to be held in the Health Related Boards Room, 227 French Landing, Nashville, Tennessee. The sole issue to be considered at the informal conference is whether the health, safety and welfare imperatively required emergency action by the Board of Nursing.

Said suspension shall be effective immediately and shall remain in effect until the conclusion of the contested case hearing against the Respondent, Billy J. Games, R.N., at which time a hearing will be held in this matter, or unless otherwise ordered by the Board of Nursing.

SO ORDERED, this 2nd day of September, 2010.



Vice-Chairperson
Tennessee Board of Nursing